

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence for Application No. 10/750,427 is being electronically transmitted to Technology Center 3763, Attention: Vu, Quynh-Nhu Hoang via EFS-WEB, on 10/15/2009

/ Thomas W. Humphrey / 10/15/2009
Thomas W. Humphrey, Reg. No. 34,353 Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frank Fago et al.
Serial No.: 10/750,427
Filed: December 31, 2003
Confirmation No.: 1785
Group Art Unit: 3763
Examiner: Vu, Quynh-Nhu Hoang
Title: **CONTRAST CONTAINER HOLDER AND METHOD TO FILL SYRINGES**
Atty. Docket: L-F-217

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

October 15, 2009

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Applicant is submitting this comment regarding the Examiner's Statement of Reasons for Allowance, to clarify the record on the two points.

First, the claims do not all recite or require the use of a fill tube, as might be erroneously implied from the remarks of the Examiner on page 2 of the attachment to the Notice of Allowance, if read out of the context of the more detailed remarks relating to individual claims that appear on page 3 of the attachment.

Second, the Examiner's indication on page 3 of the attachment that "a total volume of medical fluid in the syringe after the filling is greater than the initial volume" is understood to apply to the method recited in claim 32 and not to claim 38.

Respectfully submitted,

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